

REMARKS

Claims 25 and 45-48 have been canceled. The limitation of claim 25 has been inserted in claim 1. See pages 2/22, 14/8, and 18/4-6 for further support. The wording of claim 33 has been clarified. Claims 1-28 have been converted to LCD display claims to better describe the invention.

Claims 1-6, 9-19, 22-23, 25, 29-33, 35-38, and 41-44 stand rejected under 35 U.S.C. 102(b) as being anticipated by Shinkai et al (USPN 5,599,649). According to the Examiner:

Shinkai et al teach an optical recording medium comprising a transparent substrate and a 1-100 micron thick surface layer obtained by UV radiation curing a coating film comprising copolymerizable acrylate monomers and oligomers, including those as instantly claimed such as urethane acrylates and multifunctional acrylates such as pentaerythritol triacrylate, wherein the radiation cured surface layer further comprises 1 to 50 wt% lipophilic smectite particles having a mean particle size of 0.2 to 20 microns, more preferably 0.5 to 10 microns (reads upon organic modified layered clay particles) (Abstract; Col. 2, lines 58-67; Col 5, line 26-Col. 7, line 12; Col. 7, lines 42-53; Col. 3, lines 13-20 and 27-38; Col. 8, lines 20-40; Col. 8, line 57-Col. 9, line 51; Col. 11, line 30-Col. 14, line 40.) Shinkai et al further teach that the curable resin composition forming the surface layer may also comprise radiation sensitive curing agent of UV photoinitiator, organic solvent and other conventional additives (Col. 6, line 66-Col. 7, line 36; Col. 9, lines 59-65; Col. 10, line 14-30; Col. 14, lines 12-29.) Shinkai et al also teach that the substrate is formed of a resin or glass material which is substantially transparent, preferably a transmittance of at least 88%, wherein resins are preferred substrate materials, with examples including polycarbonate resins, acrylic resins, amorphous polyolefins and TPX (Col. 15, lines 55-65.) With respect to claims 13-19, the Examiner takes the position that the surface layer taught by Shinkai et al would inherently result in the same gloss and haze characteristics instantly claimed considering the composition and method of producing the cured layer are the same as instantly claimed. (*emphasis supplied*)

The Examiner is directed to Reference Part 14 in Figure 2 of Shinkai. It is defined as a "Reflective Layer" at col. 5/ line 9. This is because the film taught is an optical recording medium in which reflection is the principal means of reading the stored information. Such a medium is readily distinguished from the transmissive medium of the present invention. Note that the language in the Examiner's quote as to "a transmittance of at least 88%" relates to the

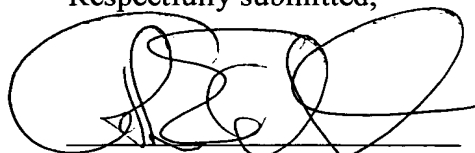
substrate not the film as a whole. The film itself is designed to be reflective.
Thus, the Shinkai reference does not anticipate the present invention.

Claims 1, 5, 9, 22-25, 29-33, 37, 41, 45 and 47 stand rejected under 35 U.S.C. 102(a) or (e) as being unpatentable over Miyatake et al (USPN 6,773,121.) Claims 2-4, 6-8, 10-21, 26-28, 34-36, 38-40, 42-44, 46 and 48 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Miyatake et al in view of Koyama et al (USPN 6,572,961) or Michihata et al (USPN 6,008,940) and in further view of Higarashi et al.

These rejections all depend on Miyatake. It is noted that Miyatake was published on April 24, 2003 and filed in the U.S. on October 17, 2002. In accordance with the enclosed Declaration Under Rule 131, the present invention was completed before October 17, 2002. This is the earliest effective date for the reference (under 35 USC 102(e)). The Declaration shows that the antiglare coating for an LCD display was first thought of and reduced to practice prior to the October 17, 2002. The actual dates have been redacted but are prior to October 17, 2002. There is no statutory bar since the reference was not published more than one year prior to the filing date of the present application..

In view of the foregoing amendments and remarks, the Examiner is respectfully requested to withdraw the outstanding rejection and to pass the subject application to Allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Kluegel', is written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

Encl: Declaration Under Rule 131